

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA

SADRICK DONALDSON,)
Plaintiff,) Civil Action No. 04-257E
v.) Judge McLaughlin
UNITED STATES OF AMERICA,) Magistrate Judge Baxter
Defendant.) ELECTRONICALLY FILED

**DEFENDANT'S MOTION FOR ENLARGEMENT OF TIME TO
FILE A MOTION FOR SUMMARY JUDGMENT**

AND NOW, comes Defendant, United States of America, by its attorneys, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania, and Paul E. Skirtich, Assistant United States Attorney for said district, and, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, files the following Motion for Enlargement of Time of Fourteen (14) Days to File a Motion for Summary Judgment. In support of his Motion, Defendant respectfully avers as follows:

1. On August 25, 2005, this Court issued an Order vacating its Report and Recommendation and ordering that Defendant's Pretrial Statement or Dispositive Motion be filed by September 6, 2005.
2. Defendant will file a potentially dispositive Motion and will request that its Pretrial Statement be stayed pending the outcome of its Motion for Summary Judgment, but current litigation demands, especially Remo v. Postmaster General, C.A. No. 03-0778, and Sacco v. United

States, C.A. No. 04-1079, prevent the undersigned from filing it timely. Further, more time is needed to gather original signatures on declarations.

3. This Motion is not filed to delay these proceedings but to make the best use of all parties' resources.
4. The undersigned counsel did not contact the *pro se* Plaintiff since he is incarcerated, but is mailing a copy of this Motion.

WHEREFORE, based upon the above, Defendant, United States of America, respectfully requests that the Court issue an Order postponing the deadline for summary judgment by Defendant to September 20, 2005.

Respectfully submitted,

MARY BETH BUCHANAN
United States Attorney

s/Paul E. Skirtich
PAUL E. SKIRTICH
Assistant U.S. Attorney
U.S. Post Office & Courthouse
700 Grant Street, Suite 4000
Pittsburgh, PA 15219
(412) 894-7418
PA ID No. 30440

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within Defendant's Motion for Enlargement of Time to File a Motion for Summary Judgment was electronically filed and/or served by postage-paid U.S. Mail to and upon the following:

Sadrick Donaldson
Register No. 20120-018
FCI Allenwood
P.O. Box 2000, 4-B
White Deer, PA 17887-2000

s/Paul E. Skirtich
PAUL E. SKIRTICH
Assistant U.S. Attorney

Dated: September 2, 2005